

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ROBERT BATTAGLIA, et al.

*

Plaintiff

*

v.

* **CIVIL NO. JKB-18-3483**

CHUNG HO CHUNG

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Defendant

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* * * * *

MEMORANDUM AND ORDER

Now pending before the Court is the Defendant's MOTION TO DISMISS FOR LACK OF JURISDICTION (ECF No. 11). The Plaintiff has responded (ECF No. 13) and the Defendant has replied (ECF No. 14.)

The Plaintiff has failed to sufficiently allege or otherwise demonstrate that this Court has personal jurisdiction over the Defendant. The alleged tort did not occur in Maryland. The Defendant does not reside here. Two unrelated instances of incidental contact with the State of Maryland, in the form of long-haul truck trips across portions of the State in the past, are insufficient to establish the requisite minimum contacts. It would violate all notions of fair play to conclude that the Defendant had purposely availed himself of the protections of the law of Maryland by virtue of these de minimis contacts.

On the other hand, it appears that there are substantial contacts in Tennessee, and perhaps in Michigan, and barring this action in Maryland by no means deprives Plaintiffs of a forum in which to litigate their claim.

Accordingly, personal jurisdiction being wanting, this matter is DISMISSED. The Clerk is instructed to CLOSE THIS CASE.

DATED this 1st day of May, 2019.

BY THE COURT:

_____/s/_____
James K. Bredar
Chief Judge